

**REMARKS/ARGUMENTS**

Claims 1 and 4-21 are currently pending. The claims have not been amended.

Claims 1, 4-6, 9-12, 14-16, 18, and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Best, JR. et al. (U.S. Patent Publication No. 2005/0034147 A1) in view of Mora (U.S. Patent Publication No. 2004/0162882 A1).

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Best in view of Mora and Mastrianni et al. (U.S. Patent Publication No. 2002/0114519 A1).

Claims 8, 13, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Best in view of Mora and Toyama (U.S. Patent Publication No. 2006/0193494 A1).

Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Best in view of Mora and Harris (U.S. Patent No. 7,202,798 B2).

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Best in view of Mora and Johnson et al. (U.S. Patent No. 5,349,662).

Applicants traverse the rejection of claim 1 over Best in view of Mora. Best, as understood, discusses a computer system 210 wherein the computer system includes one or more presence detectors 220. The presence detectors may be IR detectors, ultrasonic detectors, RFID detectors, motion detectors, microwave scanners, and video cameras. See Best at paragraph 22. The Best video camera may be configured to detect whether a user is present and the identity of the user. Still and moving video images captured by the video camera may be analyzed by "visual identification logic" to determine the identify of a user. See Best at paragraph 23. The detected presence of a user may be used by the computer system to start a computer application, such as an instant messaging application. See Best at paragraph 29. The detected identify may be used by the computer to perform various tasks, such as receiving or sending e-mail from the identified user. See Best at paragraphs 29 and 36, and at Table 2.

Applicants are in agreement with the Examiner that Best fails to show or suggest, an information interpretation module configured to determine the presence of a user, and a status of the user based on multimedia information that includes at least one of audio information, still image information, and video information, as required by claim 1. Applicants particularly note

that a status of a user provides further detailed information beyond mere presence detection of a user. The Examiner argues that at least at paragraphs 27, 31, and 34 that Mora discusses determining the status of a user beyond presence detection, and that the determination of the status of a user is based on at least one of audio information, still image information, and video information. Applicants respectfully disagree.

At paragraph 27 Mora discusses determining the status of a user based on PIM entries. PIM entries include information for received e-mail or calendar entries. Neither a received e-mail nor a calendar entry is a piece of multimedia that includes one of audio information, still image information, and video information.

At paragraph 31 Mora discusses updating status based on user input, a next scheduled event, and presence status. Applicants submit that user input and a next scheduled event are not status based on audio information, still image information, and video information. Mora's presence status as discussed above with respect to Mora's paragraph 27 is determined based on video, but does not include status information beyond mere presence based on at least one of audio information, still image information, and video information.

At paragraph 34 Mora discusses the use of presence detection to determine whether a user is present, and then discusses the further use of PIM entries (such as a calendar event, an e-mail or the like) to determine whether user status should be changed according to a set of availability rules. For example, presence may be detected, and thereafter, a PIM event such as a calendar event is reviewed to make a determination of the status that is to be reported or used. That is, presence detection in Mora is not discussed for changing status as recited in claim 1. PIM events in Mora are discussed for changing status. Therefore, at paragraphs 27, 31, and 34 Mora fails to discuss determination of status of a user based on at least one of audio information, still image information, and video information.

Applicants have particularly discussed the details of paragraphs 27, 31, and 34 of Mora as the Examiner has indicated that each of these paragraphs shows or suggests the use of presence detection to determine presence and status of a user based on "multimedia information comprises at least one of audio information, still image information, and video information," as recited in claim 1. Applicants however submit that not only do paragraphs 27, 31, and 34 fail to

show or suggest the foregoing discussed limitation of claim 1, Mora as a whole fails to show or suggest the discussed limitations of claim 1. Therefore, Mora fails to make up for the deficiencies of Best. Therefore, Best in view of Mora fails to render claim 1 obvious.

Each of independent claims 11 and 21 recite similar limitations as those limitations of claim 1 distinguished from Best and Mora above. Therefore, for at least the same reasons that Best in view of Mora fails to render claim 1 obvious, Best in view of Mora similarly fails to render each of claims 11 and 21 obvious.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

/Rodney C. LeRoy/

Rodney C. LeRoy  
Reg. No. 53,205

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
RCL:cmm  
61710666 v1